

Notice of Allowability

Application No.

09/626,205

Examiner

Alain L. Bashore

Applicant(s)

BENNETT ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9-8-04.
2. ☒ The allowed claim(s) is/are 1-30, 37-40.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


ALAIN L. BASHORE
PRIMARY EXAMINER

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, with regards to the appeal brief filed, have been fully considered and are persuasive. The finality of the previous offices action on the merits has been withdrawn.

Allowable Subject Matter

2. Claims 1-30, 37-40 are allowed.

3. The following is an examiner's statement of reasons for allowance:

The present invention includes independent claims 1, 14, 27, 29, 38. Claim 1 recites a method of electronic order routing using a global communications network, Claim 14 recites a system for electronic order routing using a global communications network, claim 27 recites an automated method for electronic order routing having a plurality of computer executable steps, claim 29 recites an automated system for electronic order routing having a plurality of computer executable steps, claim 38 recites a method of electronic order routing using a global communications network.

Schein is considered the closest prior art. Schein teaches a method of electronic order routing using a global communications network (Abstract) comprising transmitting a selection of available financial instruments and pricing parameters associated with each of said available financial instruments (col 14 lines 36-51) and receiving transactional data wherein the transactional data comprises user account data and user instructional data for a financial instruments (col 14 lines 61-67) and authenticating the data (col 15 lines 12-52) and retrieving financial parameters (Fig 1/34).

Schein does not disclose the combination including:

In claim 1:

allowing each fund manager to designate a single predetermined daily cutoff time for all of the fund manager's financial parameters;

allowing a plurality of brokers at respective broker terminals to access the financial parameters associated with the available financial instruments via the global communications network;

receiving transactional data from one of the brokers at one of the broker terminals, wherein said transactional data comprises user account data and user instructional data for a financial instrument;

authenticating said transactional data;

relating the transactional data to at least one of the available financial instruments via a relational database storing order details for each broker and fund details for each fund manager;

retrieving financial parameters received from at least one of the fund managers for the available financial instrument for said transactional data;

calculating a real-time market value for said available financial instrument;

managing said transactional data;

storing said transactional data; and

using said transactional data to complete an order for said financial instrument according to the retrieved financial parameters, if the order is completed before the predetermined daily cutoff time.

In claim 14:

wherein the graphical user interface is further adapted for allowing each fund manager to designate a single predetermined daily cutoff time for all of the fund manager's financial parameters;;

a plurality of broker terminals each displaying a graphical user interface adapted for allowing a each of a plurality of brokers at respective ones of the broker terminals to access the pricing parameters associated with the available financial

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instruments via the global communications network;

wherein the graphical user interface displayed on each of the broker terminals is further adapted for receiving transactional data from one of the brokers at one of the broker terminals, and wherein said transactional data comprises user account data and user instructional data for a financial instrument;

means for authenticating said transactional data;

a relational database storing order details for each broker and fund details for each fund manager and adapted for relating the transactional data to at least one of the available financial instruments;

means for retrieving financial parameters received from at least one of the fund managers for the available financial instrument for said transactional data;

means for calculating a real-time market value for said available financial instrument;

means for managing said transactional data;

means for storing said transactional data; and

means for using said transactional data to complete an order for said financial instrument according to the retrieved financial parameters, if the order is completed before the predetermined daily cutoff time.

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In claim 27:

a designation by each fund manager of a single predetermined daily cutoff time for all of the fund manager's financial parameters;

storing said transactional attributes in a secure communications system consisting at least in part of a relational database storing order details for each broker and fund details for each of a plurality of fund managers and adapted for relating the transactional attributes to at least one of the available financial instruments;

selectively retrieving and routing said transactional attributes to a user associated with a financial transaction;

allowing said user to access said transactional attributes to determine a financial instrument order outcome;

storing said financial instrument order outcome in said secure communications system;

transmitting said financial instrument order outcome to said user at a remote interface to complete a transaction for said financial instrument order outcome according to the retrieved transactional attributes, if the transaction is completed before the predetermined daily cutoff time.

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In claim 29:

a designation by each fund manager of a single predetermined daily cutoff time for all of the fund manager's financial parameters;

means for storing said transactional attributes in a secure communications system consisting at least in part of a relational database storing order details for each broker and fund details for each of a plurality of fund managers and adapted for relating the transactional attributes to at least one of the available financial instruments;

means for selectively retrieving and routing said transactional attributes to a user associated with a financial transaction;

means for allowing said user to access said transactional attributes to determine a financial instrument order outcome;

means for storing said financial instrument order outcome in said secure communications system; and

means for transmitting said financial instrument order outcome to said user at a remote interface to complete a transaction for said financial instrument order outcome according to the retrieved transactional attributes, if the transaction is completed before the predetermined daily cutoff time.

In claim 38:

allowing each fund manager to designate a single predetermined daily cutoff time for all of the fund manager's pricing parameters;

allowing a plurality of brokers at respective broker terminals to access the pricing parameters associated with the available financial instruments on the host sever via the global communications network;

receiving an order comprising broker account data and broker instructional data for one of the financial instruments by the host server from one of the brokers at one of the broker terminals via the global communications network;

relating the order for the financial instrument to at least one of the available financial instruments via a relational database storing order details for each broker and fund details for each fund manager;

receiving a message by the host server from one of the fund managers at one of the fund manager terminals via the global communications network requesting a download of the order;

if said one of the fund managers fills the order before the predetermined daily cutoff time, receiving an upload of information about the filled order by the host server from said one of the fund managers at said one of the fund manager terminals via the global communications network; and

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sending the information about the filled order to said one of the brokers at said one of the broker terminals by the host server via the global communications network.

For these reasons claims 1, 14, 27, 29, 38 are deemed to be allowable over the prior art of record, and claims 2-13, 15-26, 28, 30, 37, 39-40 are allowable by dependency.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Allowable subject matter may require further review for applications in class 705 before a notice of allowance is mailed to applicant. The time period for review may vary from application to application.


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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alain L. Bashore whose telephone number is 571-272-6739. The examiner can normally be reached on about 7:30 am to 5:00 pm (Mon. thru Thurs.).

6. Regarding all Class 705 applications, the management contact regarding examination is: Vincent Millin (SPE, art unit 3624) at 571-272-6747.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy Meeks can be reached on 571-272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Alain L. Bashore
Primary Examiner
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